



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

HN

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/894,904	06/29/2001	Steven C. Monroe	06978.0105-00000	4655
23838	7590	04/29/2005	EXAMINER	
KENYON & KENYON 1500 K STREET, N.W., SUITE 700 WASHINGTON, DC 20005			CHEN, TE Y	
		ART UNIT		PAPER NUMBER
		2161		

DATE MAILED: 04/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.	09/894,904	Applicant(s)	MONROE, STEVEN C.
Examiner	Susan Y. Chen	Art Unit	2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 31 January 2005.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 21-50 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 21-50 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
5) Notice of Informal Patent Application (PTO-152)
6) Other: _____

Response to Amendment

This office action is in response to amendment filed on 01/31/2005.

Claims 21-50 are pending for examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 21-50, are rejected under 35 U.S.C. 102(e) as being anticipated by U.S.

Patent No. 6,769,031 issued to Bero (hereinafter referred as Bero '031).

Claim 21:

Bero '031 discloses:

A whois database [e.g., Col. 7, line 49 – col. 8, line 17; Fig(s). 3A-11 and associated texts], comprising:

- extracting a plurality of unique identifiers from an audit file, each unique identifier corresponding to a modified domain name record within a registrar database [e.g. col. 20, lines 43-61; Fig(s). 8-10 and associated texts] ; and for each unique identifier:
 - determining whether a first domain name record that corresponds to the unique identifier exists within the registrar database, if the first domain name record exists, retrieving the first domain name record from the registrar database [e.g., Steps: 905, 910, 915, Fig. 9];
 - determining whether a second domain name record that corresponds to the unique identifier exists within the who is database, if the second domain name record exists, retrieving the second domain name record from the whois database [e.g., steps: 920, 925, Fig. 9];
 - comparing the first domain name record to the second domain name record [e.g., steps: 950, 960, 970, Fig. 9]; and
 - updating the second domain name record, within the whois database, based on the first domain name record [e.g., steps: 925, 930, 980, Fig. 9; step, 855, Fig. 8].

Claim 22:

Bero '031 further discloses:

The cited feature "deleting a second domain name record if the first corresponding domain name record does not exist". [e.g., the step 980, Fig. 9].

Claim 23:

Bero '031 further discloses:

The cited feature "adding a first domain name record to the whois database if the second corresponding domain name record does not exist". [e.g., col. 9, lines 2-25].

Claim 24:

The cited feature – discarding duplicate unique identifiers from the plurality of unique identifiers -- is the nature property of unique identifier.

Claim 25:

The cited features – modified domain name record consists of an added domain name record, a deleted domain name record and changed domain name record – are inherent for any modification processing performed on a domain name data item.

Claim 26:

Bero '031 further discloses:

The cited features - using an indicator to indicate the type of add, delete and change processing corresponding to a unique identifier of an audit file. [e.g., the updated type indicator 365, Fig. 3B].

Claim 27:

Bero '031 further discloses:

The audit file includes modified domain name information associated with each unique identifier [e.g. Fig. 3B and associated texts].

Claim 28:

Bero '031 further discloses:

the plurality of unique identifiers are associated with a time period [e.g., claim 17].

Claim 29:

Bero '031 further discloses:

tagging the audit file to identify previously extracted unique identifiers [e.g. col. 2, lines 7-25].

Claim 30:

Bero '031 further discloses:

The whois database is a copy of registrar database [e.g. col. 11, lines 5-16].

As to claims 31-50, these claims recite the same features as claims 21-30 in form of computer system and computer-readable program product, hence are rejected for the same reason.

Applicant's arguments filed on 01/31/2005 have been fully considered but they are not persuasive.

The examiner disagrees with applicant's argument under 35 U.S. C. 102(e) rejection that the prior art of Bero "do not disclose any use of a unique identifier, much less determining whether a first domain name record that corresponds to the unique identifier exists within the registrar database".

In reply to this argument, the examiner directs application attention to the default nature service function of Domain Name System as specified by Bero at the Background section, wherein, Bero recited the following:

"In order to make the identification of destination computer systems more mnemonic, a Domain Name System (DNS) has been developed that translates a unique textual name for a destination computer system into the IP address for that computer. The textual name is called a "domain name."

"In addition to making the identification of destination computer systems more mnemonic, domain names introduce a useful layer of indirection between the name used to identify a destination computer system and the IP address of that computer system. Using this layer of indirection, the operator of a particular computer system can initially associate a particular domain name with a first computer system by specifying that the domain name corresponds to the IP address of the first computer system. At a later time (e.g., if the first computer system breaks or must be replaced), its operator can "transfer" the domain name to a second computer system by then specifying that the domain name corresponds to the IP address of the second computer system."

"The domain names in DNS are structured in a hierarchical, distributed database that facilitates grouping related domain

Art Unit: 2161

names and computers, as well as facilitating the uniqueness of different domain names."

"The hierarchical, distributed structure of DNS additionally assists in the mapping of the textual domain names to the appropriate IP addresses. In particular, DNS is supported by a network of domain name server computer systems ("domain name servers") distributed throughout the Internet that maintain mappings from domain names to IP addresses. For any particular domain name, at least one domain name server is designated as being authoritative for that particular domain name and can determine one or more IP addresses to which the particular domain name should be mapped. When another computer requests the one or more IP addresses for a domain name, an authoritative domain name server for that domain name can then make the appropriate IP addresses available to the requestor. A piece of software that is commonly used to implement the DNS protocols is the Berkeley Internet Name Domain ("BIND") software, available at the time of this writing at

<http://www.isc.org/products/BIND/>. This software assists authoritative domain name servers to maintain the appropriate mapping information for domain names, and also assists other computers in identifying the domain name servers that are authoritative for a domain name when needed."

"Each domain name will have one authoritative name server that is designated as the primary master name server ("primary name server") for that domain name, and the primary name server will have control over the stored information (including the IP addresses) for that domain name. In particular, the information about the domain name will typically be stored as a local file on the primary name server computer (called a "zone data file," as discussed below), and the primary name server will thus control any changes that are to be made to the domain name information. If there are additional non-primary name servers that are authoritative for the domain name, these name servers are referred to as "slave name servers." When a primary name server begins to execute, it typically reads the information from each zone data file that is stored and then caches that information in its memory for quick access. Slave name servers obtain their domain name information from the appropriate primary name server (typically when they begin to execute), and can then make the information available to requestors."

Wherein, in contrary to applicant's argument, Bero clearly discloses a domain name server computer systems that is default to use an Internet Name Domain

("BIND") software to store and manipulate the unique identifier to determine if a domain name record [e.g., a text domain name] that corresponds to the unique identifier [e.g., the IP address] exists within a registrar database.

Furthermore, Bero clearly discloses a dynamic DNS information updating (DDIU) system as an example of the software facility in which DNS information is dynamically updated while in active use by other client devices via the DNS information including primary and slave name server computers and registrars' computers that store whois data. Depending on the manner in which the DNS information is stored and used by a computer, different embodiments of the system dynamically updated active DNS information for that computer in different manners as claimed by applicant and shown in Fig.(s) 3-11 and associated texts [e.g., col. 8, lines 5-17].

Moreover, Bero clearly discloses the extracting of each Zone data file from the configuration data file (or the audit file) and the retrieving as well as caching data from each of the Zone data file and its associated Whois information as claimed by applicant [e.g., Fig. 2B; the steps 805-810, Fig. 8].

Therefore, based on the discussion above, the examiner maintains the same type of rejection.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Gardos et al. (U.S. Patent No. 6,745,248) which discloses a system for analyzing domain name registrations.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Y Chen whose telephone number is 571-272-4016. The examiner can normally be reached on Monday - Friday from 7:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Susan Y Chen
Examiner
Art Unit 2161

April 21, 2005


UYEN LE
PRIMARY EXAMINER